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CVLS Decedent Estates Manual 2022

Independent Probate Administration in
Cook County for Simple Estates

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This checklist was drafted to guide attorneys unfamiliar with probate court through the probate process of a simple decedent estates for a CVLS case in Cook County. It is by no means a comprehensive guide to probate administration. This guide will not address supervised administration, contested estates, or complex estate issues. If you run into an issue in your case that is not addressed here, please contact CVLS for assistance.

Table of Contents

Terminology	5
Step 1: Initial Meeting with Client – Gathering Information	7
Step 2: Devise a Strategy – When to go to Court.....	10
A. Reasons not to Probate:	10
B. Reasons to Probate:	11
C. When an Estate can be administered either way	11
Step 2.5: A Note About Bond in Lieu of Probate	13
Step 3: Opening the Estate in Court	14
A. Documents you will need:	14
B. E-File Your Case	17
C. Initial Court Hearing (Virtual)	22
D. Initial Court Hearing (In-Person)	24
Step 4: After Court.....	26
Important Dates to Calendar:	27
Step 5: Administering the Estate.....	28
General Steps:	29
A. Transferring Real Estate	30
1. Ways to Transfer Real Estate in Cook County	31
2. Drafting an Administrator’s or Executor’s Deed	33
B. Income Tax Returns	34
1. Decedent’s Final Income Tax Return – Knowing whether to file	34
2. Estate Income Tax Return – Knowing whether to file	34
C. Dealing with Creditors	35
D. Wrapping Things Up & Distributing the Assets:	37
Step 6: Closing the Estate	39
A. Documents to Prepare/Gather:	39
B. E-File Closing Documents	40
C. Final Court Hearing (Virtual)	40
D. Final Court Hearing (In-Person)	41
Step 7: After Court - Tying Up Any Loose Ends.....	42
Appendix A – Sample Documents	43
Appendix B – Court Forms.....	44

Terminology

Administrator: A representative of an estate appointed by the Probate Court to manage and dispose of an intestate estate.

Administrator with Will Annexed: A representative of an estate appointed by the Probate Court to manage and dispose of an estate where all named executors in the decedent's will are unwilling or unable to serve, usually due to death.

Bond: A promise, in the form of a signed and notarized statement, by the estate representative to faithfully discharge their duties as representative.

No Surety Bond: Where there are no assets in an estate, or the decedent's will specifically waives surety on the bond, the Court will accept the Representative's signed and sworn statement as their promise.

Surety Bond: Where an intestate estate has assets, or the decedent's will does not waive surety, the Court requires a bond backed by a surety, or guarantee, in the amount of 1.5 times the value of the personal property in the estate. Think of this like an insurance policy on the estate to protect the estate's assets in the event of the representative's mishandling of those assets.

Bond in lieu of probate: A procedure in which real estate is transferred to the legal heirs or a third-party purchaser outside of probate court proceedings with the assistance of a title insurance company. The bond paid is based on the value of the real estate.

Decedent: A person who has died.

Executor: A representative nominated in a Will and appointed by the Probate Court to manage and dispose of a testate estate.

Heir: A person legally entitled to the property or rank of another on that person's death under the laws of intestacy.

Intestate Estate: An estate of a person who died without leaving a will.

Legatee: A person named in a decedent's will to receive a portion of their estate. This person may or may not also be a legal heir.

Letters of Office: Documents that establish authority to make estate decisions. These are issued by the Court upon approval of a Petition for Letters of Administration or a Petition to Admit Will to probate.

Probate Proceedings: The process of requesting authority from the probate court to distribute a decedent's assets after their death.

Small Estate Affidavit: Authorized by Illinois Statute [755 ILCS 5/25-1](#), a Small Estate Affidavit is a document that allows the administration of an estate valued less than \$100,000 with no real estate outside of probate court.

Testate Estate: An estate of a person who died with a will.

Step 1: Initial Meeting with Client – Gathering Information

This is your first encounter with the estate and is your chance to get background information from your client. This initial meeting will help guide you in how to handle the estate and prepare you for what issues might arise. During this meeting, you want to get a picture of what assets/debts were in the decedent's name at the time of death and get a complete family tree. These will become important as you draft your initial pleadings.

Information to Gather:

1. **Estate Assets:** During your initial conversation with the client, make sure to get a FULL picture of what assets the Decedent owned in his/her *sole* name at the time of death. These will be distributed through the Estate. Any assets with a beneficiary designation or joint owner do not pass through the estate.

Pro tip: Request copies of the last three years of Decedent's tax returns (if applicable). These will often show assets the Decedent owned that pay interest or dividends.

- A. **Common Estate Assets:** Bank accounts, real estate, cars, jewelry, other items of value.

B. Other Potential Assets:

1. Annuities, life insurance, IRAs, investment accounts, or other retirement accounts; these assets will usually have beneficiary designations. Any assets with a beneficiary designation, like life insurance policies, will pass directly to the beneficiary and are not subject to the Estate or Estate claims. However, if there are no beneficiaries, the asset defaults to estate.
2. Unique assets: artwork, royalties, collectibles. For these types of items, it is important to contact an expert in the field to obtain an accurate value.

- C. Jointly owned assets:** Any assets owned jointly (as joint tenants with rights of survivorship) automatically become the property of the joint owner and are not subject to the Estate or claims against the estate.

1. Jointly Owned Real Estate - Types of Joint Ownership in Real Estate:

- i. **Joint Tenants with rights of survivorship or Tenants by the Entirety where co-owner is living:** the property automatically becomes the property of the co-owner and is not subject to the Estate or claims against the Estate, with the exception of a mortgage against the property held in the decedent's name.
- ii. **Joint Tenants with rights of survivorship or Tenants by the Entirety where co-owner(s) died before Decedent:** This property automatically became the property of the Decedent upon the death of the co-owners and thus becomes an asset of the Estate.
- iii. **Tenants in Common:** each owner owns a percentage of the property, and each share passes separately through the owners' respective estates.

- D. Transfer on Death Instrument (TODI):** If your title search reveals a Transfer on Death Instrument, check who the beneficiary(ies) listed on the TODI is/are. If the beneficiary is living, then the real estate automatically transferred to the beneficiary upon the death of Decedent and is not subject to the Estate or claims against the Estate, with the exception of a mortgage against the property. If the beneficiary **does not** want the property, she **MUST** disclaim the gift within 30 days of Decedent's death. If she does nothing, the property is hers automatically. (see [TODI statute](#) for more information).

Pro tip: if the Executor/Administrator plans to sell the decedent's real estate, make sure to get an appraisal or CMA (Comparative Market Analysis) to document the value of the real estate at the time of death. This will be important when it comes to determining whether to file an income tax return (see Step 5B below).

- 2. Estate Debts:** Any debts in Decedent's **sole** name at the time of death become a responsibility of the Estate and must be paid before any Estate assets are distributed to heirs. If the Decedent had taken on debts jointly with another individual, those debts become the responsibility of the surviving owner and the Estate. Request statements for all known debts.
- A. Common Debts:** Credit cards, medical bills, student loans, home mortgage, HELOC, car note, etc.
- B. Uncommon debts:** Co-signer on a student loan, other personal guarantees, rental or lease agreement, etc. Instruct your client to keep an eye out for bills that come in the mail and to keep you informed of any other notices she receives regarding payments due.
- 3. Potential Heirs/Legatees:** Legal heirs are separate from legatees named in a Will. Both heirs and legatees must be notified of probate proceedings, so it is important to get a full picture of the family tree.
- A. Who are Decedent's Heirs?:** Heirs are determined by Illinois intestacy laws (see [755 ILCS 5/2-1](#)) – spouse and children have preference, followed by parents, siblings and their issue. See **Appendix 1.3** for a Family Tree questionnaire.
- B. Who are Decedent's Legatees?:** The legatees are the person(s) the Decedent designated in his will to receive part of his estate. Many times, the legatees and legal heirs are one in the same. Other times, there may be additional friends or distant relatives listed as legatees. If the Decedent had no will, Illinois laws of intestacy control, and the Decedent's property will be distributed to the Decedent's heirs, unless the heirs agree to another arrangement.

Step 2: Devise a Strategy – When to go to Court

Administering an Estate through Probate Court can be time consuming and taxing and is not always necessary. You should first determine whether it's possible to avoid a formal probate administration and what is the best option for your specific Estate. In cases where more than one option is available, it is up to the client how to proceed.

A. Reasons not to Probate:

1. **Small Estates:** Estate assets are less than \$100,000 – if the Estate assets total less than \$100,000, not including real estate, then they can be administered using a Small Estate Affidavit.
2. **Nothing to Probate:** After some investigating, you may discover that there are no assets in the Estate (due to joint ownership, beneficiaries, or other circumstances) and therefore there are no means of paying debts. In this case, there may be no need to go through the process of Probate.
3. **Real Property as Only Asset:** If the Estate only consists of real property, and all heirs agree with how it should be transferred, then it is possible to transfer the property to the heirs, or to sell the real estate without obtaining Letters of Office. However, there may be other steps or costs involved with transferring real property without Letters of Office. (see **Steps 2.5 and 5A** below).
4. **Real Property Underwater:** You may discover that the asset in the Estate is real estate with a mortgage with a balance that is higher than the real estate's value. Even though it is not ideal, in these instances, it may be in the heirs' interest to simply walk away and allow the mortgagee to foreclose on the loan.
5. **Criminal Background:** Illinois law prohibits administration of an estate by anyone with a felony conviction (see [755 ILCS 5/9-1](#) and [755 ILCS 5/6-13](#)). If the only administrator available has a felony conviction, it may be necessary to find a way around probate court proceedings.

B. Reasons to Probate:

1. **Convenience:** When a Probate Estate is opened, the Court issues Letters of Office to the Estate representative. Letters of Office are universally accepted and generally make administering estate assets much easier.
2. **Substantial Assets:** The Estate has assets totaling more than \$100,000 (not including real estate). Court-issued Letters of Office are required to distribute the assets.
3. **The Estate is insolvent** (more debt than assets): In this case a formal Probate administration can be used to shorten the length of time creditors can go after estate assets (see Step 5C below) and can protect a spouse's, (\$20,000) child's (\$10,000), or adult child with a disability's (\$10,000) statutory share of the estate (see [755 ILCS 5/15-1](#)). If the Estate has no assets, then this may not be helpful.
4. **Unique assets:** You may discover that Decedent owned assets that are outside the norm (Bitcoin, cemetery plots, old shares of stock, stamp or coin collections, etc.) that you are not sure how to administer for one reason or another. In these cases, it may be best to open a probate proceeding to make transferring these assets a little easier with Letters of Office.
5. **Difficult banks:** Illinois law provides that banks and other financial institutions must accept a Small Estate Affidavit if it appears valid or face sanctions (see [755 ILCS 5/25-1](#)). However, some banks and other federal agencies may require Letters of Office before releasing Estate assets, even for estates with assets under \$100K. This is because most banks are national chains, and their policies are not tailored to individual states. In these cases, you can try writing letters citing Illinois law, talking to managers or legal departments, etc. to get a bank or other agency to cooperate, but it may end up being easier to open a probate estate.

C. When an Estate can be administered either way:

Transferring Real Estate (see **Step 5A** below). If the only asset in the Estate is real estate, probate may not be necessary. However, transferring real estate without Letters of Office can be more time consuming and expensive. PCAP cases through CVLS are eligible to have all court fees waived, so the only fees the client will have to pay are the bond premium and recording fees to transfer the real estate. So, for most CVLS clients, probating in court usually makes the most sense, but it will depend on your Estate's individual circumstances to determine whether Probate is necessary to transfer real estate to the heirs/legatees.

One instance where Probate may not work for your Estate is a situation in which all potential Estate representatives have felony convictions. A felony conviction is a

complete bar to serving as Administrator or Executor in Illinois (see [755 ILCS 5/9-1](#) and [755 ILCS 5/6-13](#)). In those cases, it might be best to transfer the real estate outside of Probate by recording a Quit Claim Deed (see Step 5A below).

Step 2.5: A Note About Bond in Lieu of Probate

Most CVLS cases will involve transferring real estate. Heirs of an intestate estate can do this with the authority granted by a probate court or outside of court. Since CVLS clients qualify to have court fees waived, usually the expense of going through probate court is low and is the best way to go about transferring real estate. However, there are instances where going through probate court will be unnecessarily complicated or not feasible. In those instances, a decedent's real estate may be transferred via a Quit Claim deed signed by all the heirs at law.

Best practice is to insure this transfer with a title insurance policy through a process called "Bond in Lieu of Probate." Bond in lieu of probate is generally used in a sale transaction but can be utilized a transfer to a decedent's heir(s) as well. The cost of the title insurance policy is based on 1) the value of the property, 2) the length of time that has passed since the decedent's death, and 3) the complexity of the estate and accompanying risk of a future claim against the real estate.

If you think Bond in Lieu of Probate might be a good option for your CVLS client, contact your supervising attorney at CVLS for further instructions.

Step 3: Opening the Estate in Court

Opening the probate estate is the first and most important step. After the Estate is opened, the Court will issue Letters of Office, which allows the Estate Representative to do the work of administering the estate. Generally, in uncontested estates, you will have two court dates: one to open the estate and one to close.

A. Documents you will need:

- 1. Certified copy of Will** (if applicable) or a copy of the will with a signed Affidavit – Copy of Will (form [CCP-0317](#)).
 - a. The original Will document must be filed with the Court – file in person on the 12th floor of the Daley Center if the Will was not previously filed.
- 2. Certified copy of decedent's death certificate.**
- 3. Probate Cover Sheet** (use form [CCP-0199](#)).
- 4. Petition – Must be e-filed to obtain initial court date**
 - a. If there is no Will (intestate) - Petition for Letters of Administration (use form [CCP-0302](#)).
 - b. If there is a Will and named Executor able/willing to act - Petition for Probate of Will and Letters Testamentary (use form [CCP-0315](#)).
 - c. If there is a Will and named Executor unable/unwilling to act - Petition for Probate of Will and for Letters of Administration with Will Annexed (use form [CCP-0316](#)).
- 5. Certification of Representation by Civil Legal Services Provider (CLSP)**
 - a. Use form [CCG0642](#). In the caption, write "Estate of" as Plaintiff and the Decedent's name, Deceased as Defendant.
 - b. E-file this with your initial petition to waive filing fees.
- 6. Oath & Bond:** This form is **not** e-filed but must be submitted to the Judge prior to your initial court hearing for approval. The Judge will sign and enter the Oath & Bond form when the estate is opened.
 - a. [No Surety](#) – use if Will waives surety requirement

- b. Surety – use if no will or if representative not named in Will. A bond is the Estate’s insurance policy. The surety amount is based on assets in Estate and can be obtained from the bond company before your court date or at the Daley Center. Ask CVLS for a list of recommended bond companies. The fee paid to the bond company must be paid by the client and is the only fee the client has to pay to open the estate. For an intestate estate with only real estate, the fee is minimal (approximately \$100 annual fee.)

7. Affidavit of Heirship – e-filed before initial court date

- a. This must be drafted by an attorney. (See **Appendix 3.2** for a sample).

8. Order Declaring Heirship (use form CCP-0305): This form is **not** e-filed but must be submitted to the Judge prior to your initial court hearing for approval.

9. Order Opening the Estate: This form is **not** e-filed but must be submitted to the Judge prior to your initial court hearing for approval.

- a. Intestate estates, use form CCP-0314
- b. Testate estates, use form CCP-0319

10. Motion and Order for Waiver of Publication Fees

- a. The Court cannot waive publication fees, but, if the Petitioner qualifies, the Court will enter an Order directing the County to pay the fees. (See **Appendix 3.3** for a sample Motion and Order).
- b. E-file the Motion after you file your initial Petition.
- c. The Order is **not** e-filed but must be submitted to the Judge prior to your initial court hearing for approval.

11. Waivers of Notice for heirs/legatees: Waivers of Notice are not required to open an estate, but they move a case along faster. Without them, heirs of an intestate estate must be notified at least 30 days in advance of initial hearing using form CCP-1004 (see 755 ILCS 5/9-5) and heirs/legatees of a testate estate must be notified within 14 days after initial court hearing using form CCP-1020 (see 755 ILCS 5/6-10.)

- a. Use form CCP-0303.

12. Notice to Interested Parties Regarding Petition for Letters (if intestate)

- b. Use form [CCP-1004](#)
- c. This notice must be mailed to all heirs at least 30 days before the hearing on the Petition, unless the heir signs a Waiver of Notice ([CCP-0303](#)).
- d. E-file a Proof of Mailing and Publication after sending the notice using form [CCP-1000](#).

Make sure to review all notice requirements in the [Illinois Probate Act](#) before filing your case

For Testate Estates, see [755 ILC 5/6-10](#) - For Intestate Estate, see [755 ILCS 5/9-5](#)

B. E-File Your Case

1. Choose an Electronic Filing Service Provider:

CVLS prefers and recommends Odyssey E-File as it is completely free and easiest to use. You may access Odyssey E-File [here](#). If you have never e-filed before, you must create an account and register. During the registration process, you will be asked for a “law firm number.” This is the number assigned by the Cook County Clerk of Court. You may use your own or CVLS’s attorney code, which is 91139. To waive fees for your client, you will also have to set up a waiver account. Detailed instructions for setting up a waiver account can be found [here](#).

2. E-file Your Initial Documents

Once your documents are ready to file, go to the Odyssey E-Filing website and log in. After logging in, on the homepage, click “Start Filing.” The next page will allow you to “File a New Case” or “File into Existing Case.” For a new probate filing, you will click on “File a New Case.” Then, follow these steps:

A. Case Information

1. Location: Select “Cook County – Probate – District 1 – Chicago”
2. Category: Select “Deceased”
3. Case Type:
 - i. Intestate: Select “Independent Administration – Without Will”
 - ii. Testate: Select “Independent Executor – With Will”
 - iii. Testate with unavailable Executor: Select “Will Annexed – Independent Executor”

B. Case Cross Reference Number

1. The default is “Cook County Attorney Code” – leave as is
2. Case Cross Reference Number: Type your attorney code or CVLS’s attorney code (91139)
3. Click on “Parties →”

C. Party Information

1. Enter first and last name of DECEDENT
 - i. Note, Party Type says “Estate Name.” You will not enter Petitioner’s name anywhere when filing the Petition. Only enter Decedent’s name so the docket reflects the correct ESTATE NAME
2. Add/Edit Attorneys – select your name, click “Main Attorney,” click “Save”
3. Click “Additional Party Information” at the top of the field

4. Enter the Decedent's Date of Birth and Date of Death
5. Click "Filings →"

D. Filings

1. In this section, you will file all your initial documents:
 - i. *Petition for Letters of Administration or Petition for Probate of Will* (with a *Probate Division Cover Sheet* attached as the first page)
 - ii. *Civil Legal Services Provider Form*
2. **Filing the *Petition*:**
 - i. Filing Type: Select "EFile Only"
 - ii. Filing Code:
 1. Intestate: Select "Complaint/Petition – Independent Administration – Without Will – Fee – \$479.00"
 2. Testate: Select "Complaint/Petition – Independent Executor – With Will – Fee - \$479.00"
 - iii. Filing Description, Client Reference Number, Comments to Court, and Courtesy Copies: all optional fields that can be left blank
 - iv. Upload Documents: Upload a PDF version of the *Petition* including the Probate Cover Sheet
 - v. Security: Select "Non-Confidential"
 - vi. Click "+ Add Filing"
3. **Filing the *CLSP***
 - i. Filing Type: Select "EFile Only"
 - ii. Filing Code: Select "Certificate of Representation by Civil Legal Services Provider Filed"
 - iii. Filing Description, Client Reference Number, Comments to Court, and Courtesy Copies: all optional fields that can be left blank
 - iv. Lead Document: Upload a PDF version of the *CLSP*
 - v. Security: Select "Non-Confidential"
 - vi. Click "Skip to Fees → →"

E. Fees

1. Payment Account: Select your "Waiver Account" (see Part A for how to create the Waiver Account)
 - i. This should make the filing fee "\$0.00." If there is anything other than "0.00" in fees when you review the filing – **STOP** and contact CVLS.
2. Filing Attorney: Select your name
3. Filing Party: default is the estate name – leave as is

4. Click “Review and Submit →”

F. Review and Submit

1. Check the box for notices and requirements regarding redaction and discovery responsibilities
2. Review all the information and make sure you have uploaded the correct documents.
3. Click “Submit” to submit your filings

After filing, the Clerk’s Office will send an e-mail to the e-mail address associated with your e-filing account. This will be your “submitted” e-mail, meaning the e-filing system has received your filings. This does not mean your filings have been accepted. Within 24-48 hours, you will receive a subsequent e-mail for each filing stating whether the filing has been accepted or rejected. If accepted, the e-mail will contain a hyperlink to your file-stamped copy. If any of your filings have been rejected, please contact CVLS for assistance.

Your accepted documents will have your assigned 1) Case Number, 2) Calendar (Judge), and 3) initial hearing date, which you can use to update your other court documents. If no hearing date is listed on your Petition, follow the steps in #3 below to schedule a court date.

3. Set a Court Date

If your accepted filings do not have a hearing date listed, go to the Odyssey E-Filing website and log in. After logging in, click on “Start Filing” and then “File into Existing Case.” Find your case by entering the location and case number. Type the full year and six-digit case number without any spaces (ex: 2022P00XXXX).

Once you have found your case, click the icon that looks like a file folder “File Into.”

Then, follow these steps:

A. Case Cross Reference Number

1. Add your attorney code and click “Parties →” (see Part B, Step 2)

B. Party Information

1. Leave section as is
2. Click “Filings →”

C. Filings

1. In this section, you will file your remaining documents (*Affidavit of Heirship*, *Waivers of Notice (if applicable)*, *Notice to Interested Parties (Intestate)*, and *Motion to Waive Publication Fees*.)
2. **Filing the *Affidavit of Heirship*:**
 - i. Filing Type: Change to “EFile Only”
 - ii. Filing Code: “Affidavit of Heirship Filed”
 - iii. Lead Document: Upload a PDF version of the *Affidavit of Heirship*
 - iv. Security: Select “Non-Confidential”
 - v. Click “+ Add Filing”
3. **Filing the *Motion to Waive Publication Fees*:**
 - i. Filing Type: Change to “EFile Only”
 - ii. Filing Code: “Motion Filed”
 - iii. Motion Type: “Motion Hearing – Type Not Listed”
 - iv. Filing Description, Client Reference Number, Comments to Court, and Courtesy Copies: all optional fields that can be left blank
 - v. Lead Document: Upload a PDF version of the *Motion to Waive Publication Fees*
 - vi. Security: Select “Non-Confidential”
4. **Filing the *CLSP* (always file a copy of the *CLSP* when filing documents in your case)**
 - i. Filing Type: Select “EFile Only”
 - ii. Filing Code: Select “Certificate of Representation by Civil Legal Services Provider Filed”
 - iii. Filing Description, Client Reference Number, Comments to Court, and Courtesy Copies: all optional fields that can be left blank
 - iv. Lead Document: Upload a PDF version of the *CLSP*
 - v. Security: Select “Non-Confidential”
 - vi. Click “Skip to Fees → →”

D. Fees

1. Payment Account: Select your “Waiver Account” (see Part A for how to create the Waiver Account)
2. Party Responsible for Fees: Select the Estate’s name
3. Filing Attorney: Select your name
4. Click “Review and Submit →”

E. Review and Submit

1. Check the box for notices and requirements regarding redaction and discovery responsibilities
2. Review all the information and make sure you have uploaded the correct documents.
3. Click "Submit" to submit your filings

F. Selecting a Hearing Date

1. After you click "Submit," a calendar will pop up prompting you to select a hearing date. Select a date that is at least thirty (30) days away to give time to notify the heirs, if intestate.
2. If you already have a hearing date – click "DO NOT SCHEDULE"

C. Initial Court Hearing (Virtual)

Before Court

1. If you have not filed them already, **e-file** the Affidavit of Heirship, Proof of Notice to Interested Parties (Intestate Estate), Motion to Waive Publication Fees, and any signed Waivers of Notice you received from the heirs/legatees (see **Step 3B** above for general e-filing instructions.)
2. **Obtain the Surety Bond** (if applicable) by contacting your selected bond company at least 1 week before your first court date. They will request a copy of the Petition, an Oath & Bond – Surety signed by Petitioner, and a completed Application from Petitioner. They will send a fully executed Oath & Bond – Surety back with supporting documents.
3. **Email courtesy copies** of all your documents to open the estate (see **step 3A**) to the Judge 2-5 days before the court date. See **Appendix 3.5** for a sample email.
4. Make sure your email address is listed on all your documents, especially the Proposed Orders and is clearly visible. This is where the Clerk will send copies of the entered orders.

Initial Court Date

1. Dress as if you were going to Court.
2. Log into the Zoom courtroom 10 minutes before your scheduled time (See the [Clerk's Website](#) for Zoom information.)
 - a) Make sure your Zoom name has the case information so the Judge can identify you. (Example: CVLS – John Smith – Estate of Doe 22 P 1234)
 - b) Unless the Judge has an open Zoom call, you will wait in the Zoom waiting room until the Judge is ready to hear your case (it could take up to an hour). Stay near your computer while you wait.
3. When your case is called:
 - a) Introduce yourself and the case and let the judge know it is a PCAP case.
 - b) Inform the Judge you are there to open the Estate.
 - c) The Judge will review your paperwork and if everything is in order, will sign the orders and open the estate.

4. You will receive signed and entered Orders from the Judge' Clerk to the email address you listed on the Orders a day or so after your court date. If you do not receive entered Orders, contact the Judge's clerk or check the online [portal](#).

D. Initial Court Hearing (In-Person)

Before Court

1. If you have not filed them already, **e-file** the *Affidavit of Heirship*, *Proof of Notice to Interested Parties* (Intestate Estate), *Motion to Waive Publication Fees*, and any signed Waivers of Notice you received from the heirs/legatees (see Step 3B above for general e-filing instructions.)
2. **Obtain the Surety Bond** (if applicable) by contacting your selected bond company at least 1 week before your first court date. They will request a copy of the Petition, an Oath & Bond – Surety signed by Petitioner, and a completed Application from Petitioner. They will send a fully executed Oath & Bond – Surety form back with supporting documents.
3. **Send courtesy copies** of all your documents to open the estate (see **step 3A**) to the Judge about 1 week before the court date via mail. (See **Appendix 3.4** for sample letter).

Initial Court Date

2. Bring 3 copies of all the above documents (if e-filed, bring file-stamped copies).
3. Check in with the Clerk – make sure to mention that this is a PCAP case! The Clerk will provide the one-year status date to fill in on the Order opening the estate. Give the Clerk the originals of all your documents (1 of each)
4. Step up when case is called
 - a) Introduce yourself and the case and let the judge know it is a PCAP case.
 - b) Inform the Judge you are there to open the Estate
 - c) The Judge will review your paperwork and if everything is in order, will sign the orders and open the estate.

Pro Tip: If there is a Will, the Judge will ask where the Surety Clause is (this is the part of the will that states that a surety bond is waived). If the Will has a surety clause, know which page it is on and/or flag it for the Judge to find easily.

5. Have orders and Oath & Bond stamped by the clerk – make sure you leave with at least one stamped copy of each document.

6. Obtain Letters of Office (optional): If you need Letters of Office the same day, let the clerk know. She will stamp one of the Orders “Ok to Certify” so that you can take it to the 12th floor to obtain Letters of Office the same day. Otherwise, the Letters will be mailed within a few weeks.

Step 4: After Court

Notify Interested Parties

1. Heirs/Legatees:

- a. All heirs/legatees of a testate estate must be notified within 14 days of initial court hearing using form [CCP-1020](#) if no Waivers were signed.
- b. See [755 ILC 5/6-10](#).

2. Creditors:

- a. For Estates opened **within 2 years** of the decedent's death, notice **must** be published within 14 days of the initial court hearing. [See 755 ILCS 5/18-3](#).
- b. Publish notice in legal bulletin or local newspaper. Whichever publication you choose, they should send you a copy of the Certificate of Publication, which you will present in court when you close the Estate.
 - i. Chicago Legal Bulletin is commonly used in Cook County. Most publications will have their own form to do this. If you got an Order waiving publication fee, send the Order with the form. You can submit your notice to publish online at <https://www.publicnoticenetwork.com/>.
- c. The representative of the estate also must mail or deliver the information contained in the published notice to each creditor whose name and address "are known to or are reasonably ascertainable by the representative." [755 ILCS 5/18-3\(a\)](#). (See **Appendix Form 5.6** for a sample notice.)

Pro Tip: If the decedent's date of death is more than two years prior to the estate being opened in court, there is no need to publish or mail notice to creditors as the two-year creditor deadline has passed. See [755 ILCS 5/18-12\(b\)](#).

Important Dates to Calendar:

- 1) **Initial court date (see notice requirements above).**
- 2) **Creditor deadline:** The creditor deadline is the date by which the creditor must submit a claim to the Estate. The Estate Representative may disallow claims filed after this deadline. The deadline to file a claim is three months from the date of mailing or delivery or six months from the date of first publication, whichever is later. This date will also be listed on Certificate of Publication.
- 3) **14-month status date:** The Judge's clerk will provide this date at the initial court date. It is automatically assigned by the Court and is the date the Court expects to close the Estate. If the Estate is not fully administered by this date, you must appear and request a continuance.
- 4) Any other relevant court dates or deadlines (mortgage foreclosure court dates, if applicable).

Step 5: Administering the Estate

Now the real work begins! Administering the estate is the reason your client went to court – it's the time to gather the estate assets, pay the debts, and distribute what's left. This is also the time to transfer any real estate or other assets the heirs or legatees will receive from the Estate. The time it takes to administer the estate depends on what needs to be done.

Typically, the estate must remain open until the creditor deadline passes, so six months. However, if the decedent passed away more than two years ago, it is possible to administer the estate and close it out much more quickly.

Your client may be able to handle some of the work of administration (closing accounts, paying bills, etc.) on her own, but it is important that you oversee it and draft any legal documents (deeds, claims forms, etc.) that are needed.

General Steps:

- 1) **Letters of Office:** These will be sent by mail or email after the estate is opened (make sure your email address is listed on the Order Appointing Representative.) Additional Letters can be obtained on the 12th floor of the Daley Center or ordered from the Clerk of Court. You will generally need one certified copy for each asset or debt.
- 2) **Federal Employee Identification Number (FEIN):** This is only needed if the Estate will be taking in liquid assets (cash), for which it will need a bank account, or if the Estate will have to file an income tax return (see below). Obtain written third-party permission from your client and apply online with the IRS.
- 3) **Estate Bank account:** All assets which are not retained as-is (real estate) or transferred directly to legatees should be deposited into an estate bank account. The Executor/Administrator can open a bank account by bringing the FEIN and certified copies of the Letters of Office to a federal bank (not a savings & loan). If the Executor/Administrator lives out of state, the account should be opened at a bank with locations in Illinois as estate assets cannot be removed from the state with approval of the Court. An out-of-state Representative must also file a Designation of Registered Agent (Use form [CCP0306](#).)
- 4) **Record Keeping:** Instruct the Administrator to keep a detailed check register for any estate expenses; balance the estate account regularly; retain copies of receipts, bills, and bank statements and provide you with copies regularly. The Administrator should also keep track of the time she spends on estate work if she plans to file a claim for Administrator's fees.

A. Transferring Real Estate

Most probate cases with CVLS require a transfer of real estate to the heirs or legatees. While it sounds simple enough, there are pitfalls to look out for when transferring real estate. It is okay to give your client discreet tasks (obtain transfer stamp, take documents to record), but you should oversee the process to make sure each step is handled correctly.

Before transferring real estate, ask these questions:

1. Has the 6-month claims period passed?
 - a. You should wait until the 6-month creditor deadline has passed before transferring any Estate assets or real estate.
2. Are the property taxes current?
3. Is the water bill current?
4. Are there any local violations or tickets?
5. Who is the property being transferred to?
 - a. Is there a legatee named in the will?
 - b. If no will, will all the heirs be taking title?
 - c. If not, have the heirs not taking title signed a Disclaimer of Interest?
6. What are the clients plans for the real estate in the next year, 5 years, 10 years?

1. Ways to Transfer Real Estate in Cook County

- a. **Release of Estate's Interest in Real Estate:** Use Cook County form [CCP-0421](#) (Appendix 5.1).

- i. **How it Works:** The Release of Interest in Real Estate This form transfers the real property from the estate to the heir(s) or legatee(s) of the estate and is recorded with the Cook County Recorder of Deeds. Nothing more is needed to transfer the real estate.

- a) Any heirs/legatees **NOT** taking title should sign a written Agreement (see **Appendix 5.2**) and a [Disclaimer of Interest Form](#) (**Appendix 5.3**). The Disclaimer is recorded with the Cook County Recorder of Deeds. You should also keep a copy of the recorded document for your file and bring it to your final court date.

- b) When speaking with the heirs, remember to tell every heir that you do not represent them, and they can seek their own counsel if they have questions about the agreement or disclaimer.

- c) Any transfer of property is considered a gift by the other heirs to the remaining heir for tax purposes. There is no gift tax owed but technically there may be a reporting requirement if the value of each heir's gift exceeds \$16,000. Remember, you are not giving gift tax advice to the heirs; they should seek their own tax advice.

- ii. **When to Use:**

- a) **An Estate has been opened in Court:** The Release of Interest is the simplest way to transfer real estate from an estate to heirs/legatees. If you've gone through the trouble of opening probate, use this form.

- b) **There are large hurdles to recording a deed:** The Release of Interest in Real Estate is also a good option if there are certain deed requirements the Estate cannot meet, and an estate has been opened in court. For example, if there is a large back-due water bill or the local municipality has inspection or other requirements, a Release of Interest allows the Estate to transfer the property without meeting those requirements.

b. **Administrator/Executor's Deed**

- i. See **Appendix 5.4** for a sample deed.
- ii. **How it works:** An Administrator/Executor's deed transfers property much like any other deed. Illinois law allows an Administrator or Executor to quit claim title to the transferee, meaning they make no guarantees and retain no liability regarding past chain of title.
- iii. **When to use:**
 - a) **Heir(s)/legatee(s) plan to sell the real estate soon.** The Administrator/Executor's Deed is the gold standard means of transferring title to the heir/legatees. If the heirs/legatees plan to sell the real estate within the next couple of years, an Administrator or Executor's deed is the best way to demonstrate clear title to the property and avoid any title issues at a future sale.
 - b) **Previous complex title issues:** Since it is easily recognized by laypeople and title companies, an Administrator/Executor's Deed is a good way to clean up any prior title issues that may exist.

2. Drafting an Administrator's or Executor's Deed

a. Check Recording Requirements:

- i. Check local requirements - for Chicago properties, see this [Guide](#). For other municipalities, contact the village or city.

Pro tip: Many municipalities require an inspection and/or transfer stamp before a deed can be recorded. Make sure to check these requirements first as they can take weeks to complete.

b. Draft the Deed: See **Appendix 5.5** for a sample Executor's Deed. Send to CVLS for review.

c. File Tax Declaration through MyDec:

- i. The [MyDec](#) system is how you will file the state and county tax declaration. Since no money is being exchanged, the transfer is tax-free, but the MyDec still must be submitted and accepted before the City of Chicago will issue the city transfer stamp, which is required to record the deed.
- ii. You can create an account on the MyDec website.
- iii. After submitting the MyDec, you should print a full copy of the declaration and then you also need to accept the MyDec in the system.

d. Get transfer stamps: If your local municipality requires a transfer stamp, make sure to get it before you record the deed. If the property is in the City of Chicago, you can pick up the transfer stamp at the Chicago Department of Revenue's office on the first floor of City Hall on your way to record the deed with the Cook County clerk.

e. Record your Deed: Bring all the required documents and stamps to the Cook County Clerk for recording (located on the first floor of Chicago City Hall).

f. Note: While certain court costs and publication fees can be waived, the Cook County Recorder of Deeds will not waive their fees. Make sure to prepare our client to pay these fees (see the [Cook County Clerk's website](#) for fee details.) If you plan to record the documents, you can ask your client to write a check out to the Cook County Clerk with the amount blank so that you can pay fees directly while you are there.

B. Income Tax Returns

Author's Note: For most CVLS cases, an income tax return will not be necessary, but it is important to know both when an estate should file a tax return and what's involved. We highly recommend getting advice from a tax professional if you are unsure. If you need resources, contact CVLS, and we will connect you with someone.

1. Decedent's Final Income Tax Return – Knowing whether to file

- a. When you first met with your client, you collected copies of the decedent's most recent tax returns. These will be useful in locating the decedent's assets and for deciding whether to file a final tax return for the decedent. If the tax returns were prepared by an accountant, that accountant will be a good resource for the Estate.
- b. If the decedent was in the habit of filing tax returns, or if they had income other than Social Security, the Estate would likely need to file a final tax return for the year in which the decedent died. **Do not do this on your own – contact a professional.**
- c. The final tax return should be prepared by a professional accountant and is signed by the Representative of the Estate. If the decedent had an accountant, she will be a good place to start. Any preparation fees should be paid by the Estate as a Class 1 claim (expense of administration).

2. Estate Income Tax Return – Knowing whether to file

- a. The Estate's obligation to file a tax return depends largely on the assets in the estate and how they were administered. If the Estate earned an income, also known as "gain," the Estate will need to pay taxes on that gain and file an income tax return. An Estate may earn income on assets sold, such as real estate or stocks. **Before you close the Estate, talk to an accountant to get advice regarding filing an Estate return.**

C. Dealing with Creditors

Dealing with creditors can be the most important part of administering an estate. In Illinois, creditors generally have 2 years to file claims against an estate. The deadline is shortened to 6 months if an Estate is opened in probate court. For insolvent estates, it might be advantageous to open an estate in court just to shorten that creditor deadline.

Where to start:

1. **Make a list of all debts and assets available to pay them:** Your client will likely receive phone calls from creditors asking for payment. Reassure your client that the decedent's debts are not her personal responsibility, and she has no obligation to pay them from the Estate until all debts are ascertained. She can wait to discuss creditor claims directly with creditors until after the **6-month** creditor deadline. It is possible that new creditors will pop up or new bills, such as medical bills, will trickle in, so it is best to wait until after the 6-month deadline to pay any Estate debts.
2. **Send Notice to Creditors:** After the estate is opened in court, you must provide notice to known and unknown creditors.
 - a. For **unknown** creditors, you will publish notice (see p. 6 above.) Notice must be published within **14** days of opening the estate.
 - b. **Known** creditors: notice must be mailed to known creditors within **30** days of opening the estate (see sample Notice in **Appendix 5.6.**)
3. **Calendar the 6-month creditor deadline:** this date is 6 months from the date the Letters of Office were issued. If you need help finding the date, check your copy of the Certificate of Publication.
4. **Address filed Claims:** Once the Estate is opened in court, creditors have 6 months to file claims against the estate. They can file either with the court or with the representative of the Estate (you!). If creditors file claims against the Estate, they should send you a copy, but just in case, you should regularly check the docket to see if any claims have been filed.
5. **Insolvent Estates:** If the debts in your estate total more than the assets available to pay them. In this case, the Estate will benefit from the shorter creditor deadline.
 - a. **Order of Claims:** claims should be paid by order of classification based on Illinois Statute (see [755 ILCS 5/18-10](#)).

b. Contact creditors:

- i. Negotiating the debt: once you know who all the creditors are, either you or your client can start contacting them to negotiate the Estate debts. Many creditors will agree to lower the amount due if they know there are limited assets in an Estate. While this process can be time consuming, it may be worthwhile to the Estate.
- ii. Accounting: Another option is to provide an **accounting** to all the creditors listing the estate assets and apportioning payment to creditors based on the class and size of each claim. When you provide the accounting, you should request a written consent from the creditor to the listed apportionment. If the Estate is truly insolvent, most creditors will agree to accept whatever funds are available to release their claim.

Pro tip: Remember that certain claims (burial costs, administration fees) take precedence over lower class claims, like credit cards. Make sure the Estate has the funds needed to pay for administration fees such as filing fees, recording fees, and bond invoices before paying creditors and closing any Estate accounts.

6. Paying Claims: Once the Estate has determined there are sufficient funds to cover any claims or has reached an agreement with creditors to accept less than what is owed, the Estate representative can begin paying claims.

- a. **When sending payments to creditors, make sure to request a Release of Claim or Receipt.** Most creditors will send this automatically, but you may need to follow up to make sure you receive it. Keeping copies of checks sent and sending payments via certified mail is another good way to document and prove that payment was sent and received by the creditor.

D. Wrapping Things Up & Distributing the Assets:

After the bills have been paid, required tax returns filed, and other business is done, the Representative can distribute the remaining assets. It is possible to do a partial distribution to the heirs and legatees midway through the estate administration if they are getting restless. But first make sure there are sufficient assets to cover any owed taxes and bills.

1. **Personal Property:** Personal property can be tricky because it may hold sentimental value. Usually, a Will provides for how to distribute personal property and usually it will tell the legatees to agree to a split. If there is no Will, the heirs should decide how to divide the property up. If the heirs/legatees cannot agree on how to divide personal property, then it can be sold and the cash divided among them, or it can be distributed by some other means such as drawing straws or picking numbers out of a hat. You may have to get creative.
2. **Bank Accounts:** The Administrator/Executor should have moved all the decedent's liquid assets into an Estate bank account; this makes it easier to transfer the funds at the end. The Estate bank account should be distributed according to the Will or Illinois heirship statute.

Pro tip: Before handing out checks to heirs/legatees, make sure to get signed receipts from everyone. When you close the Estate, you will be required to submit Receipts signed by the heirs/legatees stating that they received their shares. You may want those parties to pick up their checks from your office so you can have them sign the Receipts at the same time. That way you don't have to chase them down after they have gotten paid.

3. **Real Estate** – see “Transferring Real Estate” above.
4. **Cars:** It is possible that family members want to keep the decedent's car or that the decedent gifted their car to someone specifically in a Will. If the Title is in the Estate's possession, a title transfer can be completed with the Secretary of State's Office.
5. **U.S. Savings Bonds:** If the decedent owned bonds with “payable on death” beneficiary, the beneficiary must cash them in with the U.S. Treasury Department or

transfer them to the beneficiary's existing TreasuryDirect account. Visit www.treasurydirect.gov for more information.

6. **Investment Accounts/IRAs:** Generally, these accounts will have beneficiaries attached to them and can be distributed with the use of a claim form from the company holding the account.
 - a. If there is no beneficiary designation, these accounts will be distributed to the Estate and deposited into the Estate Account. There may be tax liability, so make sure to get good tax advice if this happens.
 - b. Some IRA or other employer-based retirement funds will allow heirs or legatees to roll the investments into their own personal accounts. If an heir chooses to do this, they should obtain their own tax advice for doing this and speak to the plan administrator about their options.
7. **Other Assets:** You may come across other assets not addressed here such as out-of-state real estate, Bitcoin, Timeshares, or others. If that happens and you do not know how to proceed, contact CVLS.

Step 6: Closing the Estate

Before closing the Estate with the Court, make sure ALL estate administration work is done. Have all the assets been distributed? Have all the debts been released or barred? Are all tax requirements complete? When you opened the Estate in Step 2, the Court automatically set a 14-month court date. It is not uncommon for estate administration to take longer than 14 months. If you are diligent in administering the Estate, the judge will allow you to continue the matter to complete any work left to do. If all the estate work is done before the 14-month date, you may schedule a court date to close the Estate earlier.

A. Documents to Prepare/Gather:

1. Copy of the Petition for Letters including Exhibit A.
2. Copy of previously admitted Last Will, if any, and the date of admission.
3. Copy of the previously entered Order Declaring Heirship and any Amended Orders Declaring Heirship.
4. Copy of the previously entered Order Appointing Representative or Successor Representative.
5. Copy of the fourteen-day certificate of notice to heirs and legatees (e-filed) OR waiver of notice (e-filed).
 - Use form [CCP-1000](#)
6. Copies of receipts and approval on closing of decedent's estate in independent administration from all heirs or legatees OR proof of 42-day notice (e-filed)
 - Use form [CCP-0379](#).
 - If the heirs/legatees will not sign receipts, send a [42-day Notice](#).
7. Copy of Proof of Publication, if applicable
 - The company that published notice will automatically send a copy to you and the Court, but you should double check the docket to make sure it was filed.
8. Copy of Final Report of Independent Representative (e-filed)
 - Use form [CCP-1011](#).
9. Proposed Order of Discharge
 - Use form [CCP-1012](#).

B. E-File Closing Documents

1. Proof of Mailing and Publication for any notice sent out ([CCP-1000](#)) and/or any signed Waivers of Notice, if not already filed.
2. Final Report of Independent Representative ([CCP-1011](#)).
3. Receipts on Distribution signed by all heirs and legatees ([CCP-0379](#)).
 - a. If an heir or legatee will not sign a Receipt, you can send them a [42-day Notice](#) after the Final Report is e-filed. The 42-Day Notice is filed with the Court in order to close the Estate without a Receipt.
4. Certificate of Publication of 6-month notice to creditors (if not already filed by publication company.)
5. Copies of any releases for claims against the estate, if applicable.

Email courtesy copies of documents listed in Step 6A to the Judge 2-5 days before the court date. If your documents exceed 25 pages total, you must also mail hard copies a week before court.

C. Final Court Hearing (Virtual)

1. Log into the Zoom courtroom 10-15 minutes before your scheduled time.
2. Change your name to "CVLS – Your Name – Case Name/Number"
 - (example: CVLS – Jane Smith – Brown/22P1234)
3. Wait in waiting room for case to be called.
4. When your case is called, introduce yourself and let the judge know you are there to close the estate.
5. The judge will have reviewed your documents and will approve them and enter the closing order.
6. Log off – you're done!

D. Final Court Hearing (In-Person)

1. Bring 3 copies of all the above documents (if e-filed, bring file-stamped copies).
2. Check in with the Clerk – make sure to mention that this is a CVLS/PCAP case!
3. Step up when case is called, introduce yourself, and let the Judge know you are there to close the estate. The Judge will review your paperwork and, if everything is in order, will sign the orders, close the estate, and discharge the Independent Representative.
4. Have closing order stamped by the clerk.

Step 7: After Court - Tying Up Any Loose Ends

1. If a surety bond was required, send a copy of the closing Order to the bond company so they know to stop billing premiums.
2. Send a copy of the closing order with final instructions to the Estate representative.
 - a. The Representative should preserve records of the Estate but can close the Estate bank account if not already closed.
 - b. See **Appendix 7.1** for a sample closing letter.
3. If there are any heirs/legatees that still have not received their share, they should be paid out now.
4. Close the file with CVLS
 - a. Upload a copy of the Closing Order to the Legal Server file along with any other court documents that are not already in the Legal Server file.
 - b. Email your CVLS staff member to let them know the file can be closed.

Appendix A – Sample Documents

- 1.3 Heirship Questionnaire
- 3.1 Sample Probate Certification for Waiver of Fees Representation by Civil Legal Services Provider (CLSP)
- 3.2 Affidavit of Heirship
- 3.3 Motion to Waive Publication Fee
- 3.3 Order Waiving Publication Fee
- 3.4 Sample Letter to Judge with Courtesy Copies
- 3.5 Sample Email to Judge with Courtesy Copies
- 5.1 Notice of Probate and Release of Interest in Real Estate
- 5.2 Sample Agreement of Heirs
- 5.3 Disclaimer of Interest in Real Estate
- 5.4 Sample Administrator's Deed
- 5.5 Sample Executor's Deed
- 5.6 Sample Notice to Creditors
- 7.1 Sample Closing Letter to Client

PROBATE QUESTIONNAIRE

Name of Decedent (dead person): _____.

Date of Decedent's death: _____.

1. Decedent's Spouse(s). If Decedent was never married skip to 2. DO NOT include any common law spouses. Use reverse if more space needed.

Name of Spouse:	How did marriage end? (Write "death" or "divorce"):	If Spouse is alive...		If Spouse is dead...	Names of all children Decedent had with this spouse (list each child again in <i>Chart 2</i> along with their info):
		Phone number:	Address:	Date of death:	

2. Decedent's Child(ren). List every child including children adopted by Decedent in court. DO NOT include foster children unless adopted. If Decedent had no children, skip to 4.

Name of Child:	If Child is alive...		If Child is dead...		
	Phone number:	Address:	Date of death:	Name of this Child's spouse:	Names of this Child's children (grandchildren of Decedent) (list each grandchild again in <i>Chart 3</i> along with their info):

3. Decedent's Grandchildren. If any of Decedent's children died with children of their own, list that child's children (Decedent's grandchildren). If there is no one to list skip this Chart.

Name of Grandchild:	If Grandchild is alive...		If Grandchild is dead...			
	Phone number:	Address:	Date of death:	Grandchild's spouse at time of Grandchild's death. If spouse is also dead, include date of spouse's death.	Grandchildren's children (great-grandchildren to Decedent)	
					Living:	Dead (include date of death by each name):

4. Decedent's Parents. Skip this Chart if Decedent was married at time of death or had any children.

Name of Parent:	If Parent is dead...	If Parent is alive...	
	Date of death:	Phone number:	Address:

5. Decedent's Siblings (Brothers and Sisters). Skip this Chart if Decedent was married at time of death or had any children.

Name:	<i>If Sibling is alive...</i>		<i>If Sibling is dead...</i>			
	Phone number:	Address:	Date of death:	Name of Sibling's spouse at time of Sibling's death (if spouse is also dead, include date of spouse's death)	Names of Sibling's children	
					Living:	Dead (include date of death by each name):

6. Decedent's Real Estate (i.e. House or Land)

Property address:	Who lives there now?	Est. value (if unsure, look on Zillow, Redfin, Realtor.com, etc.):	Is there a mortgage against the property? (If yes, fill out info below)	Are property taxes current? If not, how much is due?	Is water bill current? If not, how much is due?

7. Decedent's Personal Property

Type:	Describe (List as necessary):	Value (Itemize if possible):	Location/Name of company:
Cash			
Bank account(s)			
Vehicles (Cars, Trucks, Boats, etc.)			
Stocks / bonds			
Savings bonds, T bills, other gov't securities			
Individual investment and retirement accounts: IRA, etc.			
Employer provided retirement accounts: 401(k), pension, etc.			
Life insurance			
Other (furniture, valuable jewelry, etc.):			

Chart 8. Decedent's Debts

Type:	Property that secures the debt (i.e. house for mortgage or car for car loan.) If not secured, write "N/A":	Amount still owed:

Document Checklist

Bring the following documents to your intake appointment:

- ☐ Decedent's death certificate
- ☐ Decedent's will and/or trust (if applicable)
- ☐ Copies of any life insurance policy, retirement account or pension statements, etc.
- ☐ Statements for any debts of the estate, including mortgage statements if applicable.
- ☐ Proof of income through paystubs and/or award letter (*e.g. Social Security award letter, rental agreement and bank statements showing deposits of monthly rent, etc.*) for all adult persons living in your home, including yourself.

IN THE CIRCUIT COURT OF THE COOK COUNTY, ILLINOIS
PROBATE DEPARTMENT

Estate of _____

v. _____

No. 2022P001234

Jane Doe, Deceased

**RULE 298 CERTIFICATION FOR WAIVER OF FEES
REPRESENTATION BY CIVIL LEGAL SERVICES PROVIDER OR
COURT-SPONSORED PRO BONO PROGRAM**

Pursuant to Supreme Court Rule 298, the undersigned counsel hereby certifies that s/he is an attorney for
Chicago Volunteer Legal Services,

(name of organization or court program)

a civil legal services provider or court-sponsored pro bono program as defined in 735 ILCS 5/5-105.5(a), and
that Chicago Volunteer Legal Services

(name of organization or court program)

has made the determination that Henry Doe

(name of party)

has income of 125% or less of the current official poverty guidelines or is otherwise eligible to receive services
under the eligibility guidelines of the civil legal services provider or court-sponsored pro bono program. As a

result, under Supreme Court Rule 298, Henry Doe

(name of party)

is eligible to sue or defend without payment of fees, costs or charges as defined at 735 ILCS 5/5-105(a)(1).

/s/ _____

Attorney Certification

Name of Organization or Court Program: Chicago Volunteer Legal Services/PCAP

Atty. No.: 91139

Name: Lisa K. Murphy

Address: 33 N. Dearborn, Suite 400

City/State/Zip Code: Chicago, IL 60602

Telephone: 312-332-1624

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

Estate of)	
)	
John Doe,)	No. 20__ P _____
)	
Deceased)	
)	

AFFIDAVIT OF HEIRSHIP

Henry Doe, being duly sworn on oath, states:

1. That he is an uncle of John Doe, decedent herein, on the paternal side, is of legal age and resides at Chicago, Illinois.
2. That the said decedent died on _____, 20__ and at the time of his death was a resident of Chicago, Illinois.
3. That John Doe was married only once and then to Jane Doe, who predeceased the decedent. That of said marriage three children born and none adopted, namely:
 - a. Joseph Doe, who died in infancy,
 - b. Jack Doe, who died under the age of ten and
 - c. John Doe, Jr., who predeceased the decedent, was married only once and then to Kathy Doe, that said marriage only one child was born and none adopted, namely:
 - i. James Doe, who predeceased the decedent, was never married and never had or adopted any children.
 - ii. John Doe, Jr., never had or adopted any other children.
 - iii. John Doe, decedent and Jane Doe did not have or adopt any other children.
4. That Richard Doe, the father of the decedent was married to Jean Smith Doe, the mother of decedent, that they were married only once and then to each other, both predeceased the decedent, that of said marriage two children were born and none adopted, namely:
 - a. John Doe, the decedent herein, and
 - b. Mary Doe, who predeceased the decedent, was never married and never had or adopted any children.
 - c. That Richard Doe and Jean Doe did not have or adopt any other children.
5. That Jerry Doe, the paternal grandfather, predeceased the decedent, was married twice, the first time to Alice Doe, the paternal grandmother, who predeceased the decedent, that there were three children born of said marriage and none adopted, namely:
 - a. Richard Doe, the father of the decedent,

- b. Sally Doe, who predeceased the decedent, was never married and never had or adopted any children and
 - c. Henry Doe, who is living, of legal age and competent.
 - d. That Jerry Doe and Alice Doe did not have or adopt any other children.
- 6. That Jerry Doe, the paternal grandfather, was married a second time to Betty Doe and no children were born or adopted as a result of the marriage.
- 7. That Edward Smith, the maternal grandfather, predeceased the decedent, was married only once and then to Susan Smith, the maternal grandmother, who predeceased the decedent. That there were two children born of the marriage and none adopted, namely:
 - a. Jean Smith Doe, the mother of the decedent and
 - b. Glenn Smith, who predeceased the decedent, was married only once and then to Maria Smith, that of said marriage two children were born and none adopted, namely:
 - i. Patrick Smith, who is living, of legal age and competent and
 - ii. Thomas Smith, who is living, of legal age and competent.
 - iii. That the said Glenn Smith did not have or adopt any other children.
 - c. That Edward Smith and Susan Smith did not have or adopt any other children.
- 8. Based on the foregoing, the decedent left surviving as his heirs, the following, Henry Doe, Patrick Smith & James Smith.

Henry Doe

Subscribed and sworn to before
me this day of _____, 20____

Notary Public

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

ESTATE OF:

Deceased.

No.:

MOTION FOR ENTRY OF ORDER FOR FREE PUBLICATION

Now Come the Petitioner, through their attorney, _____ and Chicago Volunteer Legal Services, and for their Motion they state as follows:

1. Petitioner has filed a Petition for Letters of Administration in the above captioned matter.
2. Pursuant to the applicable provisions of the Probate Act, the representative is required to publish notice of certain information related to the administration of the Decedent's estate
3. Petitioner is represented by Chicago Volunteer Legal Services and the Probate Court Assistance Program in this matter, which has determined that Petitioner is eligible to have all fees relating to service waived because their income is 125% or less of the current official federal poverty income guidelines or Petitioner is otherwise eligible to receive services under the eligibility guidelines of the civil legal services provider or court-sponsored pro bono program pursuant to Supreme Court Rule 298.
4. A copy of the Civil Legal Services Provider form is attached.

WHEREFORE, your petitioner respectfully requests that an Order for Free Publication be entered directing the County to pay said publication fee.

Attorney for Petitioner

Attorney Name:
Firm: Chicago Volunteer Legal Services
Attorney for: Petitioner
Address: 33 N. Dearborn, Suite 400
Chicago, IL 60602-2405
Phone: 312.332.1624
#91139
Email:

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

ESTATE OF:

_____.

Deceased.

No.:

ORDER FOR WAIVER OF PUBLICATION COSTS

This matter came to be heard on the representative's motion to waive publication costs. The Court was fully advised and finds that,

1. The representative is represented in this matter by *pro bono* legal counsel obtained through Chicago Volunteer Legal Services and the Probate Court Assistance Program;
2. Pursuant to the applicable provisions of the Probate Act, the representative is required to publish notice of certain information related to the administration of the Decedent's estate; and
3. The representative is unable to pay the cost of such publication.

Therefore, it is hereby ordered that the Clerk of this Court cause publication to be made in the manner provided by law and that the Clerk pay the costs of such publication.

E N T E R :

Judge

Date

Peter M. Ashmore
Chicago Volunteer Legal Services
Attorney for Petitioner
33 N. Dearborn Street
Suite 400
Chicago, IL 60602
(312)332-3508
Law Firm No.: 91139

January 1, 2025

Honorable _____
Richard J. Daley Center, Room 18__
Chicago, IL 60602

Re: Estate of John Doe (25 P 1234)

Dear Judge _____:

Enclosed please find copies of the following documents for your review:

[list documents here]

I plan to present these documents in court on _____, 20__ at
10:00am in order to open the Estate referenced above.

Sincerely,

[Attorney name]

Lisa Murphy

To: Lisa Murphy
Subject: March 1, 2024 - Estate of Smith - 2024 P 1234

Dear Judge _____:

The above-referenced matter is scheduled on your call for opening on March 1, 2024 at 10am. I am attaching the following documents for your review:

[Choose 1 of the below]

[Testate Estate]

- A copy of the e-filed Petition for Probate of Will and Letters Testamentary and Exhibit A;
- A copy of the filed Will;
- A copy of the filed Affidavit of Heirship;
- A copy of the fully executed Oath and Bond;
- Proposed Order Declaring Heirship;
- Proposed Order Admitting Will and Appointing Representative of Decedent's Estate;

[Intestate Estate]

- A copy of the e-filed Petition for Letters of Office and Exhibit A;
- A copy of the filed Affidavit of Heirship;
- A copy of the e-filed Notice or Waivers from all persons who are entitled to nominate an administrator in preference to or equally with the Petitioner;
- A copy of the fully executed Oath and Bond;
- Proposed Order Declaring Heirship;
- Proposed Order Admitting Will and Appointing Representative of Decedent's Estate;

Thank you,

Lisa Murphy

Lisa Murphy (she/her/hers/ella)

Staff Attorney

P|(312) 332-7546 F|(312) 332-1460



□ 2506

IN THE CIRCUIT COURT OF COOK COUNTY,
COUNTY DEPARTMENT - PROBATE DIVISION

Case No. _____

Calendar _____

Estate of _____

Deceased

NOTICE OF PROBATE AND RELEASE OF ESTATE'S INTEREST IN REAL ESTATE

NOTICE: The undersigned, who was appointed representative of the above captioned estate on _____
by the Circuit Court of Cook County, County Department, Probate Division and is currently acting as representative,
gives notice pursuant to §20-24(a) of the Probate Act of 1975 ("Probate Act") [755 ILCS 5/20-24(a)] that the decedent,
of _____, [address]
died on _____, owning the following real estate, legally described on Exhibit A, further described by
Parcel Real Estate Index Number(s) _____,
Street Address _____

RELEASE UNDER INDEPENDENT ADMINISTRATION: Pursuant to §20-1(c) or §§28-8(i) and 28-10(a) of the
Probate Act [755 ILCS 5/20-1(c) or 5/28-8(i) and 5/28-10(a)], the undersigned independent representative releases
the estate's interest in the above real estate and confirms that title passed at decedent's death to the following heirs or
legatees: [Insert or attach list.]

Name

Address

Share

State of _____)

County of _____)

Acknowledged before me by _____

* a duly authorized officer of _____

_____ corporation, on behalf of
the corporation.

_____, 20____

[Signature of Notary Public]

This instrument was prepared by and should be mailed to:

[signature of the representative(s)]

[printed name(s) of the representative(s)]

***Use only for a corporate acknowledgement.**

NOTE: This **NOTICE** must be prepared for and recorded
in each County in which real estate is located.

Send subsequent tax bills to:

AGREEMENT OF HEIRS

This Agreement is entered into this ____ day of _____, 20____, by and between
[ALL HEIRS listed here] _____(collectively,
the “parties”).

WHEREAS, DECEDENT (“_____”) died on _____, 20____;

WHEREAS, DECEDENT’s probate estate was opened in the Circuit Court of Cook
County, Illinois on _____, 20____, with _____ appointed as administrator;

WHEREAS, DECEDENT’s declared heirs are _____
_____;

WHEREAS, DECEDENT’s probate estate consists only of the real property located at
_____ (the “Property”);

WHEREAS, _____ currently resides at the Property and desires to remain in
the Property;

WHEREAS, under Illinois law, each of [ALL HEIRS] is entitled to a _____ (____/____)
share of the Property;

WHEREAS, each of _____ desire to give their respective
_____ (____/____) shares of the Property to _____; and

WHEREAS, _____ desires to accept each share such that he/she will own 100% of
the Property.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the
parties herby agree as follows:

1. Each of _____ hereby irrevocably assigns and transfers his/her respective interests in the Property to _____.

2. _____ hereby accepts each such interest in the Property, including any and all debt, taxes and other costs that are currently, and may be in the future, associated with the Property. _____ agrees to indemnify each of _____ for any debts, taxes and costs associated with the Property that may be incurred by or paid by _____.

3. To save both time and fees, the parties shall forego the transfer of the interests in the Property by multiple deeds from DECEDENT's probate estate to each HEIR and then from each of _____ to _____, and instead shall transfer the Property with one deed directly from DECEDENT's probate estate to _____, the form of which is attached hereto as Exhibit A.

4. This Agreement shall be governed by and construed and enforced in accordance with the internal laws of Illinois.

5. This Agreement may be executed simultaneously in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

6. This Agreement sets forth the entire agreement and understanding of the parties hereto and supersedes all prior agreements, arrangements and understandings relating to the subject matter hereof and is not intended to confer upon any other person any rights or remedies hereunder.

7. Upon reasonable request, the parties shall on and after the date hereof execute and deliver such other documents, releases, assignments and other instruments as may be required to effectuate completely the transfer and assignment of the Property.

The undersigned have executed this Agreement as the date first written above.

Exhibit A

**DISCLAIMER OF INTEREST IN PROPERTY
PURSUANT TO § 755 ILCS 5/2-7**

I _____, the statutory heir of _____, who died intestate (without a will)
on _____ and was the owner in fee simple of the property/ies located at:

1 _____	2 _____	3 _____
_____	_____	_____
_____ in COOK COUNTY	_____ in COOK COUNTY	_____ in COOK COUNTY

with the Property Identification Number(s) of:

1	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Attach the Legal Description(s) on a separate sheet of paper for each
Property Identification Number(s) (PINs) listed above.**

do hereby invoke my right to disclaim interest in property, pursuant to **§755 ILCS 5/2-7**, and am now
disclaiming any property interest (in its entirety) to the above referenced property/ties. Furthermore,

CONTINUED FROM FIRST PAGE

I seek to disclaim any interest which would have passed to any of my heirs by virtue of my interest.

This disclaimer is done so irrevocably and without further qualification of the disclaimed right to any and all of the aforementioned and referenced property/ies (with respective PIN's & Legal Descriptions), and no interest whatsoever in the property/ies listed above is sought concerning any portion of the intestate succession according to Illinois law.

This "Disclaimer of Interest" was completed by _____ under sound mind and with the full understanding that it eliminates any and all interest in the property/ies listed above which belonged to the now deceased, _____.
signed & sworn to by,

Signature of the Heir Seeking to Disclaim an Interest in Property

NOTARY PUBLIC SECTION

This Disclaimer of Interest in Property was completed and presented to me by: _____
Print Name of Presenter Above

on this: ____ day of: _____ in the year of: _____

Print Name of Notary Public

Signature of Notary Public

Place Notary Public Stamp Information Above

PREPARER'S INFORMATION

Prepared By: _____

ADMINISTRATOR'S DEED

THE GRANTOR, JOHN SMITH, as Independent Administrator of the Estate of MARY M. SMITH, deceased, by virtue of letters testamentary issued to John Smith by the Circuit Court of Cook County, State of Illinois; Case No. 2019 P 001234 and in exercise of the power of sale granted to John Smith in and by said Will and in pursuance of every other power and authority he

Above Space for Recorder's Use Only

enabling, and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), receipt whereof is hereby acknowledged, does hereby quit claim and convey unto JOHN SMITH, divorced and not since remarried, of 1234 Main Avenue, Chicago, Illinois, 60602, County of Cook, State of Illinois, the following described real estate situated in the County of Cook, State of Illinois, individually, to wit:

INSERT LEGAL DESCRIPTION OF PROPERTY HERE.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: 12-34-567-891-0000

Address of Real Estate: 1234 Main Ave, Chicago, IL 60602

Subject to (a) covenants, conditions and restrictions of record, (b) public and utility easements and roads and highways, if any, and (c) general taxes for the year 2018 and subsequent years including taxes which may accrue by reason of new or additional improvements during the year 2019.

DATED this ____ day of _____,
2020

_____(SEAL)
JOHN SMITH, as Independent Administrator of
aforesaid Estate of Mary M. Smith

[illegible]

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that JOHN SMITH, as Independent Administrator of the Estate of Mary M. Smith, deceased personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this ____ of _____, 2019.

Notary Public

This instrument prepared by: Chicago Volunteer Legal Services, 33 N. Dearborn St., Suite 400, Chicago, IL 60602

Mail to:

Chicago Volunteer Legal Services
33 N. Dearborn St., Suite 400
Chicago, IL 60602

Send Subsequent Tax Bills to:

John Smith
1234 Main Ave.
Chicago, IL 60602

STATEMENT BY GRANTOR AND GRANTEE

The **Grantor** or his/her agent affirms that, to the best of his/her knowledge, the name of the **Grantor** shown on the Deed or Assignment of Beneficial Interest in land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated: _____ Signature: _____

Subscribed and sworn to before me
by the said _____
this _____ day of _____, 2019.

Notary Public _____

The **Grantee** or his/her Agent affirms and verifies that the name of the **Grantee** shown on the Deed or Assignment of Beneficial Interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated: _____ Signature: _____

Subscribed and sworn to before me
by the said _____
this _____ day of _____, 2020.

Notary Public _____

Note: Any person who knowingly submits a false statement concerning the identity of **Grantee** shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to Deed or ABI to be recorded in Cook County, Illinois if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

EXECUTOR'S DEED

THE GRANTOR, JOHN SMITH, as Independent Executor of the Will of MARY M. SMITH, deceased, by virtue of letters testamentary issued to John Smith by the Circuit Court of Cook County, State of Illinois; Case No. 2024 P 001234 and in exercise of the power of sale/transfer granted to

Above Space for Recorder's Use Only

John Smith in and by said Will and in pursuance of every other power and authority he enabling, and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), receipt whereof is hereby acknowledged, does hereby quit claim and convey unto JOHN R. DOE, single never been married and Not a Party to a Civil Union, of 1234 Main St., Chicago, County of Cook, State of Illinois, and JANE DOE, a widow and Not a party to a Civil Union, of 1234 Main St., Chicago, County of Cook, State of Illinois, the following described real estate situated in the County of Cook, State of Illinois, Not as Tenants by the Entirety, Not as Tenants in Common but as Joint Tenants with Right of Survivorship to wit:

INSERT LEGAL DESCRIPTION OF PROPERTY HERE

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: 12-34-567-891-0000

Address of Real Estate: 5678 Avenue A, Chicago, IL 60602

Subject to (a) covenants, conditions and restrictions of record, (b) public and utility easements and roads and highways, if any, and (c) general taxes for the year _____ and subsequent years including taxes which may accrue by reason of new or additional improvements during the year _____.

DATED this ____ day of _____,
20__.

_____(SEAL)
JOHN SMITH, as Independent Executor
of aforesaid Estate of MARY M. SMITH.

COUNTY OF _____)
) ss.
STATE OF ILLINOIS)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that JOHN SMITH, as Independent Executor of the Estate of MARY M. SMITH, deceased personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this ____ of _____, 20__.

Notary Public

This instrument prepared by: Chicago Volunteer Legal Services, 33 N. Dearborn St., Suite 400, Chicago, IL 60602

Mail to:

Chicago Volunteer Legal Services
33 N. Dearborn St., Suite 400
Chicago, IL 60602

Send Subsequent Tax Bills to:

John Doe and Jane Doe
5678 Avenue A,
Chicago, IL 60602

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

ESTATE OF:

_____ ,

Deceased.

No.:

NOTICE TO CREDITORS

To: _____

Notice is hereby given to creditors of Jane A. Doe of the death of the above-named Decedent on [date]. Letters of Office were issued to Henry Doe, c/o Lisa Murphy, Chicago Volunteer Legal Services, 33 N. Dearborn, Suite 400, Chicago, IL 60602.

Claims against the estate may be filed in the office of the clerk, Room 1202, Richard J. Daley Center, 50 W. Washington St., Chicago, IL, or with the Representative, or both, by [date], or within three months of the date of mailing of this notice, if later. Any claim not filed on or before that date is barred. Copies of a claim filed with the clerk must be mailed or delivered by the claimant to the Representative and to the Attorney within ten days after it has been filed.

Dated: _____, 20__ _____
Henry Doe, Independent Executor

Name: Lisa Murphy
Firm Name: Chicago Volunteer Legal Services/PCAP
Attorney for: Independent Executor
Address: 33 N. Dearborn, Suite 400
City & Zip: Chicago, IL 60602
Telephone: 312-332-1624
Atty. No.: 91139
Email: LMurphy@cvls.org



*Because equal access to
justice is everyone's fight*

January 1, 2024

Jane Doe
1234 Easy St
Chicago IL 60602

RE: Estate of John Doe (24 P 1234)

Dear Jane:

I hope this letter finds you well. Enclosed please find the order entered in court on December 21, 2023 closing the Estate. This concludes your representation with CVLS in the above matter. Please keep your records regarding this case for at least five years. If there are any documents or originals you believe we have in our file, please let me know, and I will mail them to you.

Please call me at 312-332-1624 if you have any questions or concerns.

Best of luck to you.

Sincerely,

Lisa K. Murphy
Staff Attorney

Enclosure

Appendix B – Court Forms

1. Cover Sheet – Probate (CCP0199)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0199.pdf
2. Affidavit – Copy of Will (CCP0317)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0317.pdf
3. Certification of Representation by Civil Legal Services Provider (CLSP) (CCG0642)
https://services.cookcountyclerkofcourt.org/forms/Forms/pdf_files/CCGN642.pdf
4. Petition for Letters of Administration (CCP0302)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0302.pdf
5. Petition for Probate of Will and Letters Testamentary (CCP0315)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0315.pdf
6. Petition for Probate of Will and Letters of Administration – with Will Annexed (CCP0316)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0316.pdf
7. Oath & Bond
 - a. No Surety (CCP0313)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0313.pdf
 - b. Surety (CCP0312)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0312.pdf
8. Order Declaring Heirship (CCP0305)
https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0305.pdf
9. Order Opening Estate
 - a. Intestate (CCP0314)

- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0314.pdf
- b. Testate (CCP0319)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0319.pdf
10. Notice to Interested Parties Regarding Petition for Letters of Administration (CCP1004)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP1004.pdf
11. Notice to Heirs and Legatees – Will Admitted (CCP1020)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP1020.pdf
12. Waiver of Notice (CCP0303)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0303.pdf
13. Notice of Probate and Release of Interest in Real Estate (CCP0421)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0421.pdf
14. Disclaimer of Interest Form
- <https://www.cookcountyclerkil.gov/sites/default/files/publications/Disclaimer%2520of%2520Interest%2520Form.pdf>
15. Proof of Mailing and Publication (CCP1000)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP1000.pdf
16. Receipt on Distribution (CCP0379)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP0379.pdf
17. Notice Regarding Final Report in Independent Administration (CCP1008)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP1008.pdf
18. Final Report of Representative (CCP1011)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP1011.pdf
19. Order of Discharge (CCP1012)
- https://services.cookcountyclerkofcourt.org/Forms/Forms/pdf_files/CCP1012.pdf